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State of Utah

DEPARTMENT OF NATURAL RESOURCES

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Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
C0070042
#3495
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March 23, 2010

Michael Blakey, Plant Manager
Sunnyside Cogeneration Associates
P.O. Box 159
Sunnyside, Utah 84539

Subject: Denial of Star Point Waste Fuel, C/007/0042, Change in Permit Boundary, Task ID #3495

Dear Mr. Blakey:

The Division received your application for the above-referenced amendment on February 22, 2010. The application was submitted to address deficiencies identified in a previous task (3363) that were provided to you by the Division in our letter dated November 2, 2009. The materials submitted for Task 3495 address the deficiencies of the earlier submittal; however, a change in permit boundary cannot be approved until the following conditions are met (R645-301-880):

1. Final approval of the change in postmining land use (Task ID 3496);
2. Reclamation of the ConocoPhillips parcel, including removal of coal material;
3. Application for Phase III Bond Release, including proof of Public Notice for Phase III Bond Release pursuant to R645-301-880.120; and
4. Approval of Phase III Bond Release for areas proposed for removal from permit area.

Once Phase III Bond Release is approved, you may re-submit your application for a change in permit boundary. The application for Phase III Bond Release may include the change in permit boundary; however, neither bond release nor the change in permit boundary can be approved for the ConocoPhillips parcel until coal material is removed.

The plan as submitted is denied. Please resubmit the application package once the conditions described above are met. If you have any questions, please call me at (801) 538-5262 or Kevin Lundmark at (801) 538-5352.

Sincerely,

James D. Smith
Permit Supervisor

JDS/KWL/sqs
cc: Price Field Office
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